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10/783,511	02/23/2004	David Killian	2100.0060001	7601
26111 7590 01/16/2007 STERNE, KESSLER, GOLDSTEIN & FOX PLLC 1100 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER TAN, ALVIN H	
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SHORTENED STATUTORY PERIOD OF RESPONSE			NOTIFICATION DATE	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

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<b>Office Action Summary</b>	Application No. 10/783,511	Applicant(s) KILLIAN ET AL.	
	Examiner Alvin H. Tan	Art Unit 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 October 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-6,10-13,15-27 and 29-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,10-13,15-27 and 29-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Remarks***

1. Claims 1, 3-6, 10-13, 15-27, and 29-32 have been examined and rejected. This Office action is responsive to the amendment filed on 10/16/06, which has been entered in the above identified application.

### ***Claim Objections***

2. Claims 15 and 16 are objected to because of the following informalities:
  - a. It appears the applicant has incorrectly set claims 15 and 16 to depend on canceled claim 14. Examiner assumes claims 15 and 16 are meant to be dependent on claim 13 and it will be treated as such for the remainder of the Office action.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 101***

3. The correction to claims 27-30 has been approved, and the objections to the claims under 35 USC § 101 have been withdrawn.

### ***Claim Rejections - 35 USC § 112***

4. Applicant's arguments, see [pages 13-15, sections A, B, C, D, E, G of Applicant's Remarks], filed 10/16/06, with respect to claims 1, 4, 6, 13, 15, 18, 20, 29, 30 as

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rejected under 35 USC § 112, second paragraph, have been fully considered and are persuasive. The corresponding rejection of claims 1, 4, 6, 13, 15, 18, 20, 29, 30 have been withdrawn.

Claims 2, 8, and 9 have been canceled and thus, the rejections to the claims under 35 USC 112, second paragraph, are withdrawn.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1, 3-6, 11, 12, 18, 20, and 21-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. Claim 1 recites the limitation "said control options" in *[line 8]* of the claim.

There is insufficient antecedent basis for this limitation in the claim.

b. Claim 4 recites the limitation "the second set" in *[lines 4 and 5]* of the claim. It is unclear whether the second set refers to the second set of control objects *[claim 1, line 11]* or the second set of control objects representing available system components *[claim 4, line 2]*.

c. Claim 4 recites the limitation "the control options" in *[line 6]* of the claim. It is unclear whether the second set refers to the control options in *[claim 1, line 8]* or the control options in *[claim 1, line 13]*.

- d. Claim 6 recites the limitation "the second set" in *[lines 5 and 6]* of the claim. It is unclear whether the second set refers to the second set of control objects *[claim 1, line 11]* or the second set of control objects representing available system components *[claim 6, line 2]*.
- e. Claim 6 recites the limitation "the control options" in *[line 7]* of the claim. It is unclear whether the second set refers to the control options in *[claim 1, line 8]* or the control options in *[claim 1, line 13]*.
- f. Claim 18 recites the limitation "the system component" in *[line 6]* of the claim. It is unclear whether the system component refers the one or more system components within the controlled environment *[claim 13, line 4]*, the selected system component *[claim 13, line 5]*, or the one or more system components included in each region *[claim 17, lines 2-3]*.
- g. Claim 18 recites the limitation "said second set" in *[line 7]* of the claim. It is unclear whether the second set refers to the second set of control objects *[claim 13, line 12]* or the second set of control objects representing available system components *[claim 18, line 4]*.
- h. Claim 20 recites the limitation "the system component" in *[line 7]* of the claim. It is unclear whether the system component refers the one or more system components within the controlled environment *[claim 13, line 4]*, the selected system component *[claim 13, line 5]*, or the one or more system components included in each region *[claim 20, line 5]*.

- i. Claim 20 recites the limitation "said second set" in *[line 8]* of the claim. It is unclear whether the second set refers to the second set of control objects *[claim 13, line 12]* or the second set of control objects representing available system components *[claim 20, line 4]*.
- j. Claims 21-24 recite the limitation "the on-off state" in *[line 6]* of claims 21-23 and *[line 10]* of claim 24. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1, 3-5, 10-13, 15-19, 21-26, 27, 29, 31, and 32 are rejected under 35 U.S.C. 102(e) as being anticipated by Dresti et al (Pub. No. US 2003/0103088 A1), herein after Dresti.

**Claims 1, 3-5, 11, 12 (Interface)**

**Claims 13, 15-19, 21-26 (Method)**

**Claims 27, 29 (Product)**

8-1. Regarding claims 1, 13, and 27, Dresti teaches the claim comprising a first set of control objects, wherein said control objects are associated with system components within the controlled environment, by disclosing an electronic device having a remote control application user interface that functions to display operational mode information to a user *[paragraph 4, lines 1-4]*. A wheel 110 *[figure 11]* contains icons representing devices and/or activities *[paragraph 142, lines 1-3]*.

Dresti teaches a component control interface for presenting control options for a selected system component, wherein activation of a control object from said first set denotes said selected system component and populates the user interface with said control options, by disclosing that the icons function as soft keys that may be selected to cause the performance of a further action, for example, to display a device control page, cause the transmission of commands, etc. *[paragraph 138, lines 5-9]*.

Dresti teaches wherein each control option is associated with a sequence of commands that, when executed, sends instructions to control the operations or functions of said selected system component, by disclosing that users can select the devices by clicking on the appropriate icon in the wheel, wherein a page of control functions for that device would be displayed *[paragraph 151, lines 10-15; figure 19a]*.

Dresti teaches the claim further comprising a second set of control objects representing affiliate system components capable of providing an input to said selected system component, wherein activation of a control object from said second set populates the user interface with control options for an affiliate system component

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associated with the activated control object from the second set, wherein each control option for said affiliate system component is associated with a sequence of commands that, when executed, sends instructions to control the operations or functions of said affiliate system component, by disclosing that the home screen device wheel 110 may contain device and activity icons *[paragraph 142, lines 1-3]*. When editing an activity icon, the user is presented with a set of control objects in which to select the device to be operated. Selecting a device would then populate the interface with a set of control options for that device. A series of keystrokes is then input, which would control the selected device when the activity icon is run *[paragraph 212, lines 9-14; paragraph 180, lines 6-24]*. Further, activities represent a desired configuration of one or more devices that is centered around a given pastime. For example, a 'watch movies' activity might be setup to cause the transmission of commands to select the DVD player as the audio/video source, set the surround sound mode on the audio amplifier, switch the TV input to S-Video, etc. *[paragraph 137, lines 14-20]*. Thus, in order to setup an activity involving multiple system components, an affiliate system component may be selected and configured by presenting an interface with a set of control option for the affiliate system component. If an activity has already been established and a user wishes to edit the activity, the user would be able to identify any devices being operated by the activity, including a first component and any affiliate components.

8-2. Regarding claims 3 and 17, Dresti teaches the claim wherein said first set of control objects represents a plurality of regions within the controlled environment,



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wherein each region includes one or more system components, by disclosing that the first set of control objects belong to a room *[figure 11, reference character 118]*. Each room is associated with its own devices representing system components on home screen device wheel 110 *[figure 11]*. The device and activity icons are used to control the devices represented by each icon.

8-3. Regarding claims 4, 18, and 29, Dresti teaches the claim further comprising a second set of control objects representing available system components within a selected region, wherein activation of a control object from said first set denotes said selected region and populates the user interface with said second set, by disclosing device and activity icons on home screen device wheel 110 *[figure 11]*.

Dresti teaches wherein activation of a control object from said second set denotes said selected system component and populates the user interface with said control options, by disclosing that when a device icon is selected, a page of control functions for the device will be displayed *[paragraph 151, lines 10-15; figure 19a]*.

8-4. Regarding claims 5 and 19, Dresti teaches the claim wherein said first set of control objects represents a plurality of component types within the controlled environment, by disclosing that each device icon is associated with a type *[figure 14c]*.

8-5. Regarding claims 11 and 25, Dresti teaches the claim further comprising device definition means for specifying input or output links or dependencies among one or

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more affiliate system components and a primary system component, and thereby establishing a chain of system components including said primary system component and said one or more affiliate system components, wherein said primary system component is associated with a primary control object from said first set, by disclosing that when generating a macro, users can specify a sequence of actions for selected devices. For example, a "Watch DVD Movie" macro could be made with primary system component being the DVD Player. When selected via an activity icon on the home screen device wheel 110, the macro would 1) turn on the DVD Player; 2) turn the AMP to the DVD input; 3) turn on the TV; 4) set TV input to "Video 1"; and 5) play the movie [paragraph 211].

8-6. Regarding claims 12 and 26, Dresti teaches the claim wherein activation of said primary control object populates the user interface with control options for executing commands to send instructions to control the operations or functions of said chain of system components, by disclosing that users can copy, link, or edit the macros [paragraph 213, lines 5-10]. Editing the macros would display control options to allow the user to select and control devices when the macro is run.

8-7. Regarding claim 15, Dresti teaches populating said user interface with control options for an affiliate system component in response to activating a control object from said second set and associating each control option for said affiliate system component with a sequence of executable commands that sends instructions to control the

operations or functions of said affiliate system component, by disclosing that the home screen device wheel 110 may contain device and activity icons *[paragraph 142, lines 1-3]*. The activity icons represent the first set of control objects. When editing an activity icon, the user is presented with a set of control objects in which to select the device to be operated. Selecting a device would then populate the interface with a second set of control options for that device. A series of keystrokes is then input, which would control the selected device when the activity icon is run *[paragraph 212, lines 9-14; paragraph 180, lines 6-24]*.

8-8. Regarding claim 16, Dresti teaches the claim further comprising populating said user interface with control options to link an affiliate system component to the selected system component and hide said affiliate system component from further view on said user interface, by disclosing that when adding devices to the macro, a user links the device to the activity. When brought back to the home screen device wheel 110, the selected devices within the macro would not be displayed. Only the icon representing the activity would be shown *[figure 22G]*.

8-9. Regarding claim 21, Dresti teaches the claim further comprising a switch object associated with a global command that, when executed, sends instructions to alter the on-off state of designated system components, wherein selection of one or more control objects from said first set denotes said designated system components, by disclosing activity icons within wheel 110 that denote user generated macros. User generated

macros allow the user to manually program a sequence of actions to be assigned to a single button such that the sequence can be repeated by a press of the single button *[paragraph 211]*.

8-10. Regarding claim 22, Dresti teaches the claim wherein said switch object is associated with a global command that, when executed, sends instructions to alter the on-off state of one or more system components matching a signaled component type, wherein selection of a control object from said first set denotes said designated component type, by disclosing a power macro for a home theatre system that offers a global on and off function for a home theatre *[paragraph 131]*.

8-11. Regarding claim 23, Dresti teaches the claim wherein said switch object is associated with a global command that, when executed, sends an instruction to alter the on-off state of at least one system component positioned within a designated region within the controlled environment, wherein selection of a control object from said first set denotes said designated region, by disclosing that users can set up macros for specific rooms *[paragraph 166]*.

8-12. Regarding claim 24, Dresti teaches the claim further comprising exclusion means for exempting from said global command at least one of one or more specified system components, one or more system components matching a specified type, and one or more system components positioned within a specified region within the controlled

environment, wherein execution of said global command does not send instructions to alter the on-off state of the exempted one or more system components, by disclosing that users can indicate which devices are to participate in the macro *[paragraph 166, lines 8-16]*.

**Claims 31, 10, 32**

8-13. Regarding claim 31, Dresti teaches the claim comprising a set of control objects for selecting a type of system component within the controlled environment that operates in either an on or off state, wherein said set of control objects includes a switch object associated with a global command that, when executed, sends instructions to alter the on-off state of one or more system components matching the selected system component type, wherein selection of a control object from said set of control objects denotes said selected system component type, by disclosing activity icons within wheel 110 that denote user generated macros. User generated macros allow the user to manually program a sequence of actions to be assigned to a single button such that the sequence can be repeated by a press of the single button *[paragraph 211]*. Dresti teaches a power macro for a home theatre system that offers a global on and off function for a home theatre *[paragraph 131]*.

8-14. Regarding claim 10, Dresti teaches the claim further comprising exclusion means for exempting from said global command at least one of one or more specified system components, one or more system components matching a specified type, and one or

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more system components positioned within a specified region within the controlled environment, wherein execution of said global command does not send instructions to alter the on-off state of the exempted one or more system components, by disclosing that users can indicate which devices are to participate in the macro *[paragraph 166, lines 8-16]*.

8-15. Regarding claim 32, Dresti teaches the claim wherein said system component matching a selected system component type is positioned within a selected region within the controlled environment, wherein selection of a control object from said set of control objects denotes said selected region, by disclosing that users can set up macros for specific rooms *[paragraph 166]*.

9. Claims 1, 3-6, 13, 15, 17-20, 27, 29, and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Hasha et al (U.S. Patent No. 6,734,879), herein after Hasha.

**Claims 1, 3-6 (Interface)**

**Claims 13, 15, 17-20 (Method)**

**Claims 27, 29, 30 (Product)**

9-1. Regarding claims 1, 13, and 27, Hasha teaches the claim comprising a first set of control objects, wherein said control objects are associated with system components within the controlled environment, by disclosing a method and system for generating a user interface for controlling software components through a user control point device

*[column 2, lines 25-27]*. A main portion of a display contains menu items implemented as buttons for various components associated with the current space. The components relate to audio/video, lighting, climate control, elevator control, art control, and high resolution monitor control *[column 4, lines 49-55; figure 1]*.

Hasha teaches a component control interface for presenting control options for a selected system component, wherein activation of a control object from said first set denotes said selected system component and populates the user interface with said control options, wherein each control option is associated with a sequence of commands that, when executed, sends instructions to control the operations or functions of said selected system component, by disclosing that when a user selects one of the buttons, the user interface for the corresponding software component is provided by a user interface component for that software component *[column 4, lines 55-58]*. *[Figure 2]* illustrates a display after the audio/video button has been selected. The main portion reflects options relating to controlling audio/video *[column 5, lines 5-8]*.

Hasha teaches the claim further comprising a second set of control objects representing affiliate system components capable of providing an input to said selected system component, wherein activation of a control object from said second set populates the user interface with control options for an affiliate system component associated with the activated control object, wherein each control option for said affiliate system component is associated with a sequence of commands that, when executed, sends instructions to control the operations or functions of said affiliate system component, by disclosing, various program selector buttons for controlling various

programs such as a movie, television channel, or music albums *[column 5, lines 10-13]*. *[Figure 3]* shows a display after the music album selector button has been selected. Various controls in the main portion allow the user to select an available album and to direct the music to a hardware component, such as the ambient audio component *[column 5, lines 20-27]*.

9-2. Regarding claims 3 and 17, Hasha teaches the claim wherein said first set of control objects represents a plurality of regions within the controlled environment, wherein each region includes one or more system components, by disclosing the control objects within the roam button, which allows users to specify a user interface for controlling another space *[column 5, lines 45-52; figure 6]*. The selectable spaces are each associated with components and control options for controlling operations or functions of the selected system component.

9-3. Regarding claims 4, 18, and 29, Hasha teaches the claim further comprising a second set of control objects representing available system components within a selected region, wherein activation of a control object from said first set denotes said selected region and populates the user interface with said second set, wherein activation of a control object from said second set denotes said selected system component and populates the user interface with said control options, by disclosing a main portion of a display that contains menu items implemented as buttons for various



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components associated with the selected space *[column 4, lines 49-51]*. *[Figure 1]* shows menu items associated with the swimming pool space.

9-4. Regarding claims 5 and 19, Hasha teaches the claim wherein said first set of control objects represents a plurality of component types within the controlled environment, by disclosing control types audio/video, lighting, climate control, elevator control, art control, and high resolution monitor control *[column 4, lines 51-55; figure 1]*.

9-5. Regarding claims 6, 20, and 30, Hasha teaches the claim further comprising a second set of control objects representing available regions within the controlled environment wherein each region includes one or more system components of a selected component type, by disclosing various control center buttons for controlling various control center components within the current space. A control center software component may correspond to an entertainment center, an ambient audio hardware component, or other hardware component within the space *[column 5, lines 13-18; figure 2]*.

Hasha teaches, wherein activation of a control object from said first set denotes said selected component type and populates the user interface with said second set, by disclosing that selecting control type audio/video in *[figure 1]* displays the user interface with the second set of control objects as shown in *[figure 2]*.

Hasha teaches wherein activation of a control object from said second set denotes said selected system component and populates the user interface with said

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control options, by disclosing *[figure 5]*, which shows the control options if ambient audio is selected.

9-6. Regarding claim 15, Hasha teaches the claim further comprising populating said user interface with control options for an affiliate system component in response to activating a control object from said second set and associating each control option for said affiliate system component with a sequence of executable commands that sends instructions to control the operations or functions of said affiliate system component, by disclosing various program selector buttons for controlling various programs such as a movie, television channel, or music albums *[column 5, lines 10-13]*. *[Figure 3]* shows a display after the music album selector button has been selected. Various controls in the main portion allow the user to select an available album and to direct the music to a hardware component, such as the ambient audio component *[column 5, lines 20-27]*.

### ***Response to Arguments***

10. The Examiner acknowledges the Applicant's amendments to claims 1, 10, 13, and 27, the cancellation of claims 2, 7-9, 14, and 28, and the addition of claims 31 and 32. Applicant's arguments, see *[pages 13-15, sections A, B, C, D, E, G of Applicant's Remarks]*, filed 10/16/06, with respect to claims 1, 4, 6, 13, 15, 18, 20, 29, 30 as rejected under 35 USC § 112, second paragraph, have been fully considered and are persuasive. The corresponding rejection of claims 1, 4, 6, 13, 15, 18, 20, 29, 30 have been withdrawn. The rejections of claims 18 and 20 for reciting "the system component"

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still remain rejected under 35 USC § 112, second paragraph, because the claims still fail to mention which system component is being referred to. Claims 21-24 also remain rejected for reciting the limitation "the on-off state" in *[line 6]* of claims 21-23 and *[line 10]* of claim 24. There is insufficient antecedent basis for this limitation in the claim.

Regarding independent claims 1, 13, and 27, the Applicant alleges that Dresti et al (Pub. No. US 2003/0103088 A1), herein after Dresti, as described in the previous Office action, does not explicitly teach, "a GUI that has a first set of control objects for controlling a consumer electronic device selected by the user and a second set of control objects on the same GUI representing other affiliated consumer electronic devices that are capable of providing an input to the selected device". Contrary to Applicant's arguments, Dresti teaches that the home screen device wheel 110 may contain device and activity icons *[paragraph 142, lines 1-3]*. When editing an activity icon, the user is presented with a first set of control objects in which to select the device to be operated. Selecting a device would then populate the interface with a set of control options for that device. A series of keystrokes is then input, which would control the selected device when the activity icon is run *[paragraph 212, lines 9-14; paragraph 180, lines 6-24]*. Further, activities represent a desired configuration of one or more devices that is centered around a given pastime. For example, a 'watch movies' activity might be setup to cause the transmission of commands to select the DVD player as the audio/video source, set the surround sound mode on the audio amplifier, switch the TV input to S-Video, etc. *[paragraph 137, lines 14-20]*. Thus, in order to setup an activity involving multiple system components, an affiliate system component may be selected

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and configured by presenting an interface with a set of control option for the affiliate system component. If an activity has already been established and a user wishes to edit the activity, the user would be able to identify any devices being operated by the activity, including a first component and any affiliate components. Consequently, and given the broadest, most reasonable interpretation of their claim language, Dresti is still considered to anticipate claims 1, 13, and 27.

Regarding independent claim 31, Applicant alleges that Dresti does not explicitly teach, "a GUI that organizes and controls devices by device type such that the user can control all of the devices of the same type as a collective group". Contrary to Applicant's arguments, Dresti teaches a power macro for a home theatre system that offers a global on and off function for a home theatre *[paragraph 131]* as well as an audio/video routing macro for ensuring that the correct audio input signal is used when the user selects a device to be the device in focus *[paragraph 133]*. The power macro for the home theatre system would be a system generated macro, which is automatically generated by the remote control application to facilitate common tasks *[paragraph 210]*. Consequently, and given the broadest, most reasonable interpretation of their claim language, Dresti is still considered to anticipate claims 31.

Regarding the rejections of independent claims 1, 13, and 27 under 35 U.S.C. 102(e) as being anticipated by Hasha et al (U.S. Patent No. 6,734,879), herein after Hasha, the Applicant alleges that Hasha as described in the previous Office action, does not explicitly teach or suggest, "the use of a GUI that provides a first set of control objects to control a selected consumer electronic device and a second set of control

objects representing affiliated consumer electronic devices capable of providing input to the selected device". Contrary to Applicant's arguments, Hasha teaches a method and system for generating a user interface for controlling software components through a user control point device *[column 2, lines 25-27]*. A main portion of a display contains menu items implemented as buttons for various components associated with the current space. The components relate to audio/video, lighting, climate control, elevator control, art control, and high resolution monitor control *[column 4, lines 49-55; figure 1]*. Hasha teaches that when a user selects one of the buttons, the user interface for the corresponding software component is provided by a user interface component for that software component *[column 4, lines 55-58]*. *[Figure 2]* illustrates a display after the audio/video button has been selected. The main portion reflects options relating to controlling audio/video *[column 5, lines 5-8]*. Hasha teaches various program selector buttons for controlling various programs such as a movie, television channel, or music albums *[column 5, lines 10-13]*. *[Figure 3]* shows a display after the music album selector button has been selected. Various controls in the main portion allow the user to select an available album and to direct the music to a hardware component, such as the ambient audio component *[column 5, lines 20-27]*.

Applicant states that dependent claims 3-6, 10-12, 15-27, 29, 30, and 32 recite all the limitations of the independent claims, and thus, are allowable in view of the remarks set forth regarding independently amended claims 1, 13, 27, and newly added claim 31. However, as discussed above, Dresti is considered to teach claims 1, 13, 27,

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and 31 and Hasha is considered to teach claims 1, 13, and 27, and consequently, claims 3-6, 10-12, 15-27, 29, 30, and 32 are rejected.

### ***Conclusion***

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

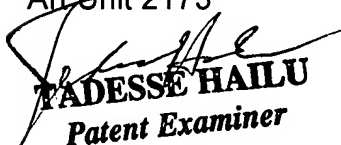
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin H. Tan whose telephone number is 571-272-8595. The examiner can normally be reached on Mon-Thu 9:30-7 and alternating Fridays 9:30-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Assistant Examiner  
Art Unit 2173

  
**TADESSE HAILU**  
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